

1 JUDGE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,) NO. CR20-133RAJ
10 Plaintiff,)
11 vs.) ORDER GRANTING UNOPPOSED
12 DAVID ROSARIO,) MOTION TO CONTINUE TRIAL AND
13 Defendant.) PRETRIAL MOTIONS DUE DATE
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15 THIS MATTER having come before the Court on defendant's unopposed
16 motion for a continuance of the trial and the pretrial motions due date, and the Court
17 having considered the facts set forth in the motion, the speedy trial waiver executed by
18 defendant, and the records and files herein, the Court finds as follows:

19 The Court finds that the ends of justice will be served by ordering a continuance
20 in this case, that a continuance is necessary to ensure adequate time for effective case
21 preparation, and that these factors outweigh the best interests of the public and
22 defendant in a speedy trial.

23 1. A failure to grant the continuance would deny defense counsel the reasonable
24 time necessary for effective preparation, taking into account the exercise of due
25 diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the failure

26 ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE DATE - 1
(*David Rosario*; CR20-133RAJ)

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1 to grant a continuance in the proceeding would likely result in a miscarriage of justice,
2 within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

3 2. The ends of justice will be served by ordering a continuance in this case, as a
4 continuance is necessary to ensure adequate time for the defense to effectively prepare
5 for trial. All of these factors outweigh the best interests of the public and defendant in
6 a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).

7 IT IS THEREFORE ORDERED that Defendant's unopposed motion (Dkt. # 36)
8 is GRANTED. The trial date is continued from April 12, 2021, to July 26, 2021. All
9 pretrial motions, including motions in limine, shall be filed no later than June 1, 2021.

10 IT IS FURTHER ORDERED that the resulting period of delay from the date of
11 this order to the new trial date of June 1, 2021, is hereby excluded for speedy trial
purposes under 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

12 DATED this 4th day of March, 2021.

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16 The Honorable Richard A. Jones
17 United States District Judge
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